

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
HUNTINGTON DIVISION

_____)	
OHIO VALLEY ENVIRONMENTAL)	
COALITION, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 3:11-149
)	
UNITED STATES ARMY CORPS OF)	
ENGINEERS, et al.,)	
)	
Defendants.)	
_____)	

STATUS REPORT

Pursuant to the Court's Order of April 20, 2011 [Dkt. No. 38], the United States Army Corps of Engineers ("Corps") hereby reports to the Court and the parties on the Corps' review of the subject permit upon remand.

1. The Corps' review of the subject permit is ongoing. Since our last status report on June 20, 2011, the Corps has received the additional information requested from the Highland Mining Company and has had further communications regarding the issues being reviewed.

2. Although the timing of the Corps' review depends on a number of factors, the Corps is attempting to complete its review within the next 30 days. If the review is not completed by that time, the Corps will file another status report to update the status of its review as required by the April 20, 2011 Order.

Respectfully submitted,

IGNACIA S. MORENO
Assistant Attorney General
Environment & Natural Resources Division

/s/ Cynthia J. Morris
CYNTHIA J. MORRIS
KENNETH C. AMADITZ
U.S. Department of Justice
Environment & Natural Resources Division
Environmental Defense Section
P.O. Box 23986
Washington, D.C. 20026-3986
(202) 616-7554 (Morris)
(202) 514-3698 (Amaditz)
(202) 514-8865

RUTH ANN STOREY
U.S. Department of Justice
Environment & Natural Resources Division
Natural Resources Section
P.O. Box 663
Washington, D.C. 20044-0663
(202) 305-0493

OF COUNSEL:

DEBRA TABOR
U.S. Army Corps of Engineers
Huntington, WV
(304) 399-5886

RUSSELL W. PETIT
U.S. Army Corps of Engineers
Washington, D.C.
(202) 761-0912

CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of July, 2011, I filed the foregoing Status Report with the Clerk of Court using the CM/ECF system, which will cause a copy to be served on counsel of record.

/s/ Cynthia J. Morris